

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

Case No. 18-0974-TF

Tariff filing of Green Mountain Power Corporation requesting a 5.45% increase in its base rates effective with bills rendered January 1, 2019, to be fully offset by bill credits through September 30, 2019

PREFILED DIRECT TESTIMONY OF

BRIAN E. WINN

ON BEHALF OF THE

VERMONT DEPARTMENT OF PUBLIC SERVICE

July 30, 2018

Summary: Mr. Winn provides an overview of the Department of Public Service's (the "Department") recommendation to reduce Green Mountain Power's requested revenue requirement by approximately \$ [redacted] million. Mr. Winn also discusses in detail the Department's recommendation regarding appropriate rate treatment for Green Mountain Power's proposed growth-related capital spending, introduces the testimony of the Department's witnesses, and briefly discusses innovative services.

Mr. Winn Sponsors the Following Exhibits:

Exhibit PSD-BEW-1: Professional Resume of Brian E. Winn

Exhibit PSD-BEW-2: GMP Standard and Poor's Presentation

Exhibit PSD-BEW-3: Near-term Rate Driver Analysis

Direct Testimony
Of
Brian E. Winn

1 **Q1. Please state your name, occupation, and business address.**

2 A1. My name is Brian E. Winn. I am the Director of Finance & Economics at the Vermont
3 Department of Public Service (the “Department” or “PSD”). My responsibilities include
4 direction of Utility Finance and Economics group activities for the Department and the
5 State of Vermont. My business address is 112 State Street, Montpelier, Vermont 05620.

6
7 **Q2. Please describe your educational background and experience.**

8 A2. I have a B.A. in Political Science from Purdue University, and a Master’s of Science in
9 Management from The Georgia Institute of Technology. I have worked at the
10 Department since July, 2016. Prior to joining the Department, I was employed with
11 Edison International or Southern California Edison, its regulated utility subsidiary, for
12 over twenty years. During my tenure there I held various positions including: Director of
13 Financial Planning and Analysis; Director of Business Analytics; Director of Performance
14 Management and Measurement; Director of Nuclear Financial Management; and Director
15 of SCE Budgets and Planning. Prior to Edison, I was a Utility Finance Consultant for
16 Energy Management Associates. My professional resume is included as Exhibit PSD-
17 BEW-1.

18
19 **Q3. Have you ever testified before the Vermont Public Utility Commission (the**
20 **“Commission or “PUC”)?**

1 A3. Yes, I have testified in Docket Nos. 8698/8710, 8827, 8871, 8881, 17-1238-INV, 17-
2 3112-PET, 17-5003-PET, 18-0409TF, and 18-0491-PET
3

4 **Q4. What is the purpose of your testimony?**

5 A4. In my testimony I discuss the organization of the Department's case; summarize the
6 Department's recommendations; discuss in detail the Department's recommended rate
7 treatment for various Green Mountain Power ("GMP") capital projects; recommend
8 improvements to GMP processes related to analysis of capital projects and power
9 procurement; discuss the Department's recommendations for power supply costs and
10 short-term incentives; and introduce the Department's witnesses.
11

12 **Q5. What has GMP requested in this proceeding?**

13 A5. GMP's rate filing with the Commission consists of a base rate increase of 5.45 percent
14 which is offset by a onetime bill credit associated with returning excess Accumulated
15 Deferred Income taxes as a result of the recent federal tax legislation. The net result is a
16 decrease of 0.5 percent for rates starting January 1, 2019.
17

18 **Q6. What is the Department's recommendation regarding the Company's requested rate**
19 **increase?**

20 A6. GMP filed a cost-of-service ("COS") that reflects a \$25.112 million revenue deficiency.
21 The Department's overall conclusion is that there is a deficiency of \$__ million.

Therefore, the Company's request of 5.45 percent is reduced to ___% percent. The table below summarizes the Department's proposed adjustments:

**Summary of the Department's Adjustments to GMP
COS Cost-of-service**

	<u>\$1,000</u>
Revenue Deficiency per GMP COS	\$25,112
PSD Adjustments to COS	
Purchased Power, net	(\$0)
Depreciation & Amortization	(0)
Taxes - Federal, State & Gross Receipts	(0)
Net Gain from Assets Sold	(0)
Return on Utility Rate Base	(\$0)
Merger Savings	(\$8)
Total PSD Proposed Deficiency	<u>19</u> \$0
	20

Q7. Please briefly summarize the reasons for the Department's proposed adjustments to GMPs Cost-of-service?

A7. The Department's recommendations largely reflect two general concerns: (1) GMP's rate of capital spending, and (2) a concern about the distribution of financial risk between GMP's shareholders and ratepayers as GMP continues develop and introduce new innovative services. To be clear, the Department is largely supportive of GMP's innovative efforts in support of state energy policy and the Department's recommendations in this case should not be interpreted as discouraging GMP from continuing to identify and implement innovative products, provided they will yield

1 tangible, and reliably quantifiable, benefits for GMP's ratepayers. However, the financial
2 risk associated with those projects must be appropriately balanced between ratepayers
3 and shareholders.

4
5 With respect to its specific recommendations, the Department proposes that the
6 Commission remove the Tesla Powerwalls, Heat Pump Water Heaters and \$___ million of
7 T&D individual and blanket projects and "hold to sell" RECs from rate base in the case,
8 for a total rate base reduction of \$___ million. Additionally, the Department is
9 recommending that \$397,682 be removed from Purchased Power Costs.

10
11 **Q8. Does the Department have any other recommendations for the Commission?**

12 **A8.** Yes. The Department's support for the Storage/Solar projects is contingent on GMP
13 providing ratepayers financial assurance that the projects will deliver the anticipated
14 economic benefits and that GMP indemnify the ratepayers for any financial consequences
15 should the proposed ratemaking or accounting be disallowed by the IRS. The
16 Department also recommends that the Commission require GMP to: (1) consider all
17 reasonable alternatives to proposed capital projects and solicit Requests for Proposals
18 ("RFPs") when multiple vendors are available; (2) maintain adequate contemporaneous
19 information on the capital project planning and project approval processes; (3) improve
20 its methods for prioritizing reliability projects; and (4) follow a more structured process
21 for procuring energy and capacity resources including soliciting RFPs.

22

Background and Overview

Q9. Please describe the Department's investigation into the proposed change in rates?

A9. After GMP made its rate filing, the Department organized a team composed of internal resources and experts from GDS Associates, Inc. and J. Kennedy and Associates. The team conducted a thorough review of the petition and supporting documentation, with a focus on capital spending, power supply, cost of capital, and regulatory accounting. The Department issued two rounds of discovery to the Company, engaged in a series of meetings and conference calls with key GMP staff to exchange information, and reviewed relevant Commission precedent.

Q10. How is the Department's testimony organized?

A10. The Department is presenting testimony from eight witnesses. In my testimony I provide a high-level summary of the entire case including: the Department's recommendations; a discussion of capital spending; and summaries of the recommendations of the other witnesses. Ed McNamara, the Director of the Department's Planning and Energy Resources Division ("PERD") provides a summary of the power supply portion of the case and makes recommendations regarding GMP's Regional Network Service ("RNS") charge and GMP's accounting treatment of RECs within rate base. Carol Flint, the Director of the Department's Consumer Affairs and Public Information ("CAPI") Division, provides an assessment of GMP's customer service. The remaining witnesses are outside consultants that provide more detailed testimony in the areas covered by Mr.

1 McNamara and myself. Terry Myers of GDS provides an overview of the implications of
2 recent changes to the federal tax code and GMP's proposal to return a portion of its tax
3 savings as accredit during the upcoming rate year.
4

5 **Q11. Please provide some background on the regulatory landscape that is relevant**
6 **context for this case.**

7 A11. I will describe the regulatory landscape as it pertains to the capital spending, O&M, and
8 cost of capital portions of the rate case. In his testimony, Mr. McNamara provides a
9 summary of the regulatory landscape relevant to the power supply portion of the case.
10 GMP rates are set the way that most regulated utilities in the United States are, via a
11 proceeding to determine the appropriate cost-of-service, which in broad terms include
12 O&M expenses, purchased power costs, and return on rate base.
13

14 A substantial portion of GMP's O&M revenue requirement has been pre-determined
15 under a formula outlined in a June 15, 2012 Order from the Commission in Docket 7770,
16 which concerned the merger of GMP and CVPS. The Docket 7770 Order defines this
17 formula as "Base O&M costs," but it is generally referred to as the "O&M Platform." The
18 revenue requirement for this portion of GMP's rates will be determined under this Order
19 through 2022.
20

21 Furthermore, GMP has been operating under a temporary alternative regulation plan that
22 took effect in January of 2018, which includes mechanisms for purchased power, storms,

1 and exogenous events cost recovery; allows GMP flexibility to pilot innovative products
2 and services; and is in effect for 2 years, through the end of 2019. Since a large portion
3 of Purchased Power costs are long-term contracts that have been reviewed several times,
4 and because O&M costs are largely pre-determined under the O&M Platform, the
5 Department's review of the current case largely focuses on the impacts of capital
6 spending and investments in subsidiaries.

7
8 GMP filed a traditional rate case (Case 17-3112-INV) in 2017 for rates in effect in 2018.

9 During that case, the Department testified that the information available from the
10 Company was not sufficient to allow the Department to assess the reasonableness of the
11 proposed level of capital spending. In particular, the Department testified that the
12 Company was unable to produce complete financial analyses and other documentation
13 for approximately 69.7 percent of the capital projects reviewed by the Department.
14 Having such information available for review is essential for the Department to fulfill its
15 verification role in the rate case review process. As part of the Memorandum of
16 Understanding ("MOU") that the Commission approved in that case, GMP agreed to
17 maintain contemporaneous documentation of its capital spending decisions and to a set of
18 standards describing the required analysis of capital projects.

19
20 In June, GMP filed a proposal for a multi-year alternative regulation plan (Docket 18-
21 1633-PET) that will operate through 2022, if approved by the Commission. The plan
22 would be bookended by this pending rate case and a traditional rate case to be filed for

1 the 2023 rate year. There are numerous issues and details in the proposed plan that will
2 be reviewed and potentially revised as that case proceeds, and all components of the plan
3 are ultimately subject to Commission approval. However, some of the Department's
4 recommendations in this case are predicated on the existence of a multi-year rate plan.
5

6 **Q12. Can you provide any perspective on the main cost drivers contributing to the need**
7 **for the rate increase proposed in this case?**

8 A12. During the July 13, 2018 workshop for this case, Commission staff requested that the
9 Department address the rate drivers underlying GMP's rate request and attempt to tie any
10 recommended adjustments to those rate drivers.¹ First, I would like to provide some
11 perspective on complexities involved when trying to distill the primary reasons for
12 changes from a large list of numbers into a few key drivers. The summary cost-of-service
13 calculation is composed of over 25 cost items. Each of those items represents the
14 summation of a large subset of cost items and so on. When the overall percentage change
15 for a long list of numbers is relatively small, in a mathematical sense, there are numerous
16 ways to combine the numbers to a handful of primary drivers. The same list of numbers
17 is therefore subject to a wide range of interpretations of the primary drivers of the overall
18 change. That is true for the GMP numbers in this case.
19

¹ Tr. 7/13/18 at 87 (Poppiti).

The Department used the following logic when summarizing the primary drivers. The Department has categorized cost-of-service by function, i.e. Power Costs, Transmission Costs, O&M, and made adjustments that account for the regulatory mechanisms used to recover the costs. Breaking down the costs using this logic results in these major categories.

Summary of GMP Adjustments to Cost of Service - As Filed
In \$1,000s

	<u>Test Period</u>	<u>Rate Period</u>	<u>Dollar Change</u>
Purchased Power and Production	\$217,808	\$239,191	\$21,384
Net Transmission	\$19,408	\$32,196	\$12,788
O&M Platform, Other O&M and Savings	\$66,517	\$79,066	\$12,550
Capital Related Costs	\$0	\$0	\$0
Depreciation & Amortization & Other	\$43,646	\$25,616	(\$18,029)
Taxes - Federal, State & Municipal	\$51,322	\$39,093	(\$12,229)
Return on Utility Rate Base	\$70,121	\$82,618	\$12,497
Less Affiliate & Other Operating Revenue	(\$37,640)	(\$16,201)	\$21,439
Gross Revenue & Fuel Gross Receipts Taxes	<u>\$4,565</u>	<u>\$4,588</u>	<u>\$23</u>
Cost to Ultimate Consumers	\$435,746	\$486,168	\$50,422

Most of the categories are straightforward and align well with the COS summary filed by GMP. Transmission O&M is shown net of the Equity in Earnings from Affiliates from VELCO to reflect the actual cost of transmission to the rate payer. I have provided a more detailed description of the Cost-of-service line items included in each category in Exhibit DPS-BEW-3.

1 **Q13. Does the analysis of the changes between the test period and proposed rate period**
2 **reveal the main drivers of GMP rate increases?**

3 A13. Not in this this case. The Department recommends that the Commission take a longer
4 perspective when trying to determine the main drivers for the increase in GMP rates. In
5 this case, both the test period and the rate period numbers represent only nine month
6 periods and contain large one-time items that distort the overall trajectory of discrete
7 components of GMP's rates. For example, in the test period, the Affiliates & Other
8 Operating Revenue line contains a large one-time benefit of \$7.7 million related to a
9 Solar JV project. In the rate period, Depreciation & Amortization & Other line item there
10 are large one-time benefits associated with the Storage/Solar JV projects, totaling \$12
11 million, which reduce that line item significantly. The rate period also contains a one-
12 time benefit of approximately \$8.3 million from the VELCO sale of Utopus. Finally,
13 there is a significant difference in the federal tax rate for the test period and the rate
14 period. All these complications reduce the value of a straight test year to rate year
15 comparison. Nevertheless, my Exhibit PSD-BEW-3 attempts to provide the rate driver
16 analysis in the format requested by Commission staff during the workshop.

17
18 **Q14. What does the Department's analysis of the longer rate trends show are the main**
19 **drivers of GMP rate increases?**

20 A14. The Department performed an analysis of the rate trends for the period 2013 through
21 2018 grouping the costs in the same manner as used above. The results are presented in
22 the table below:

Camparison of Changes to GMP Cost of Service - 2013 Recorded to 2018 Settlement.
In \$1,000s

	<u>2013 Test Year Actual</u>	<u>2018 Settlement</u>	<u>Dollar Change</u>	<u>Percent Change*</u>
Purchased Power and Production	\$322,603	\$289,154	(\$33,449)	-10.37%
Net Transmission	\$31,676	\$28,878	(\$2,798)	-8.83%
O&M Platform, Other O&M and Savings	\$117,541	\$104,571	(\$12,970)	-11.03%
Capital Related Costs				
Depreciation & Amortization & Other	\$45,611	\$53,270	\$7,659	16.79%
Taxes - Federal, State & Municipal	\$46,809	\$67,487	\$20,678	44.18%
Return on Utility Rate Base	\$66,673	\$98,535	\$31,862	47.79%
Less Affiliate & Other Operating Revenue	(\$33,282)	(\$21,583)	\$11,699	-35.15%
Gross Revenue & Fuel Gross Receipts Taxes	<u>\$6,094</u>	<u>\$6,266</u>	<u>\$172</u>	<u>2.82%</u>
Cost to Ultimate Consumers	\$603,724	\$626,580	\$22,854	3.79%

Over the period, Purchased Power Costs, over which GMP has some limited control, have declined by \$33.4 million. GMP has made progress in reducing O&M costs which have declined by almost \$13 million. Net Transmission costs have remained relatively stable with a \$2.8 million decline. However, these cost reductions, which total \$49.2 million, have been more than offset by a \$60.2 million increase in capital and investment related costs, over which GMP has significant control. Given these trends, the Department believes its recent focus on the level of GMP capital spending is well-founded.

Proposed Capital Spending & Investments

Q15. Why is the level of capital spending and investments in subsidiaries so important in the GMP rate case?

A15. GMP has experienced significant growth in capital investment, especially during the years following its merger with CVPS. Capital spending and, in GMP's case, investment in subsidiaries are the primary components of rate base. GMP rate base grew by 22.7 % from 2014 to 2017 and GMP projects that its rate base will grow from \$1.165 billion in 2014 to \$1.564 billion in 2019, which represents a 34.1% increase in less than 5 years. The table below shows GMP's actual rate base from 2014 to 2017 and the projected rate base for 2019.

GMP TOTAL RATEBASE INVESTMENT - 2014 to 2019 (\$1,000)

<u>2014¹</u>	<u>2015²</u>	<u>2016³</u>	<u>2017⁴</u>	<u>2019⁴</u>
\$1,165,784	\$1,209,349	\$1,264,195	\$1,430,213	\$1,563,786

¹8389 2014.11.14 GMP ESAM Filing.pdf, pg 8, Green Mountain Power - 2014 Earnings Sharing Adjustor, filed with the PUC on November 14, 2014. 13 month average as of September 2014.

²GMP FY2015 ESAM.pdf, pg 4, Green Mountain Power - 2015 Earnings Sharing Adjustor, filed with the PUC on November 20, 2015. 13 month average as of September 2015.

³GMP FY 2016 ESAM Filing, pg 4, Green Mountain Power - 2016 Earnings Sharing Adjustor, filed with the PUC on November 29, 2016. 13 month average as of September 2016.

⁴Case No. 18-0974-TF Schedules 10 month average as of September.

In the Company's most recent presentation to Standard & Poor's from November of 2017, which is attached as Exhibit PSD-BEW-2, the Company forecasted capital spending and investments in subsidiaries of \$534 million from 2018 through 2021. In that same presentation, GMP forecasted retail revenues to grow by 20.46% from 2017 to 2021. Finally, the GMP Long-Term Executive Compensation Plan (produced during

1 discovery as (Attachment GMP.DPS1.Q20.c) sets explicit targets for growth in
2 “Investments Driving Customer Value” defined in the plan documents as “total utility
3 plant, net” plus “investment in associated companies,” both of which are primary
4 components of rate base. The targets grow from \$1.73 billion for the period ending in
5 2017 to \$2.086 billion for the period ending in 2020. That amounts to 20.6% growth in
6 three years.

7
8 GMP is clearly planning to continue to significantly grow rate base. We know from the
9 analysis provided earlier in my testimony that growth in rate base is the single most
10 important driver of GMP rate increases. Therein lies the need for the Department and the
11 Commission to pay particular attention to the level of capital spending.

12
13 **Q16. How much capital spending and investment in subsidiaries has GMP proposed in**
14 **this case?**

15 A16. The Company has requested recovery for capital additions and investment in subsidiaries
16 of \$___ for 2018 and \$___ for 2019. The proposed capital spending and investments in
17 subsidiaries will increase the base rate revenue requirement (excluding the impact of the
18 lower tax rates and one-time credits) by approximately \$14 million from the test year
19 period.

20
21 **Q17. What is the Department’s assessment regarding the level of capital investment and**
22 **capital projects of the Company?**

1 A17. There does not seem to be a clear operational reason for the level of rate base growth
2 considering that customer growth is very low, load is stagnant, and sales are declining.
3 Testimony from our expert witnesses, discussed in detail later, confirms this position. In
4 fact, in this case, GMP has proposed some investments, such as the Storage/Solar JV
5 projects, that have no clearly established operational need. Instead the company has
6 sought to justify the expenditures on primarily economic grounds.

7
8 **Q18. Has the quality of GMP documentation and evaluation of capital spending in this**
9 **proceeding improved over what was provided in the last case?**

10 A18. In some area yes and in others no. GMP has adopted the agreed upon template for capital
11 projects and provided more detail on blanket projects over \$250,000. GMP has also
12 provided additional capital review process data in the templates, including the
13 management personal that approved projects and the dates that projects were approved.
14 This additional information in the templates is very helpful for the Department's review
15 of projects and demonstrates improvement in the project support documentation.

16
17 However, Kevin Mara of GDS Associates conducted a review of GMP's capital spending
18 proposals and identified the following weaknesses in the support documentation: cost
19 estimate errors; failure to use an industry standard method to value and prioritize
20 reliability projects; insufficient data to justify capital spending proposals; unnecessary
21 capital projects; and over use of blanket projects. Additionally, GMP did not evaluate, or
22 solicit requests for proposals for, viable alternatives to the Storage/Solar JV or Tesla

1 Powerwall projects. Mr. Mara discusses these issues in more detail in his testimony, but
2 the concerns he presents are consistent with issues that the Department has identified in
3 past cases.
4

5 **Q19. Do you support the proposed adjustment to Transmission, Distribution and General**
6 **Plant rate base discussed in the testimony of Kevin Mara of GDS Associates?**

7 A19. Yes. I am recommending that the Commission adopt the adjustments to T&D capital
8 spending included in the testimony of Kevin J. Mara, of GDS Associates Inc., which total
9 \$7.1 million. Mr. Mara's testimony includes a detailed by project discussion of the
10 rationale for excluding this amount.
11

12 **Q20. Please explain the Department's recommendation that \$12.16 million of blanket**
13 **projects be excluded from rate base.**

14 A20. In his testimony Mr. Mara testifies that he believes that \$42.5 million of the \$49.4 million
15 of proposed blanket capital projects could be excluded from rate base under the known
16 and measurable standard. Mr. Mara also found that including the blanket projects in rates
17 also eliminates the incentive for GMP to be efficient in design and construction. Mr.
18 Mara raised additional issues with the methods of estimating each of the different
19 categories of blanket projects.
20

21 The Department has raised concerns with GMP's use of blanket projects in prior cases
22 and is also concerned by the large increase in the use of blanket projects over the past few

1 years. However, the Department does not believe it would be appropriate to completely
2 remove the blanket projects in this case. First, the Commission has traditionally allowed
3 GMP to use blankets in traditional rate cases. Second, the Department is factoring in the
4 likelihood that this case may become the basis for a multi-year rate plan. In that event, it
5 would not be appropriate to defer recovery of costs contained within the blankets until the
6 next traditional rate case.

7
8 Given that the Department remains very concerned about GMP's use of the blanket
9 capital project categories, Mr. Mara was asked Mr. Mara to provide the Department with
10 an analysis of the appropriate amount to include in rates for each of the blanket project
11 categories. The Department has reviewed his analysis and recommends the Commission
12 adopt the resulting adjustments totaling \$12.16 million.

13
14 **Q21. Please summarize the rationale for excluding Renewable Energy Credits ("RECs")**
15 **from rate base.**

16 A21. Certain renewable energy credits are created, with some regulatory lag, simply from the
17 operation of GMP generation assets or through purchased power contracts. Mr.
18 McNamara discusses the timing and procurement issues that lead to GMP carrying RECs
19 in rate base, and Mr. Myers raises an accounting concern with GMP's practice of holding
20 RECs in rate base. Based on their respective testimonies, the Department recommends
21 that \$4.08 of these credits be removed from rate base.

22

1 **Q22. Please explain the Department's recommendation that the Heat-Pump Water Heater**
2 **products be excluded from rate base.**

3 A22. First it is useful to provide some background. The Department supports the Company's
4 efforts to find innovative solutions to serve its customers' needs and promote state energy
5 policy. However, when a monopoly public utility offers commercially available
6 competitive products and services, an issue arises about the utility's impact on the
7 competitive market. For instance, in this case, GMP has included the costs associated
8 with the heat-pump water heaters in rate base.

9
10 As noted in prior cases, instead of requiring GMP to conduct this type of business in an
11 unregulated subsidiary, as is commonplace across the nation, the Department has
12 developed a list of conditions that should be met if generally available consumer products
13 are to be included in rate base. These requirements are: that the Company must have the
14 ability to control the usage of those products for the benefit of all ratepayers; benefits of
15 the program must exceed the costs to non-participating ratepayers; any bad debt expense
16 should be borne by the program or shareholders; and that GMP must open its billing
17 system to companies offering similar competing products. The Department and GMP
18 have discussed these conditions throughout the pilot review process, and ultimately these
19 discussion led to resolution in Docket 8794, in which GMP sought to tariff its heat pump
20 and heat pump water heater pilots.

1 The ability for GMP to exercise control of these products for the benefit of all ratepayers
2 was generally not implemented for heat-pump water heater products offered in 2016 and
3 part of 2017. The Company has stated that beginning in 2018, such control will be a
4 standard component of innovative products and services included in rate base. It has
5 become apparent since then that controls for these products are not generally available.
6 Additionally, it is not clear that the heat-pump water heaters' operating characteristics
7 will allow them to be efficiently controlled to create benefits for non-participating
8 customers. Until GMP has implemented the ability to control these devices for the
9 benefit of all ratepayers, the Department recommends excluding them from rate base to
10 remedy the competitive advantage created by the regulated rate of return on the
11 investment. The Department has recommended that the revenues and costs associated
12 with these devices, including depreciation, flow through other operating revenue.

13
14 **Q23. Please explain the Department's recommendation that the Tesla Powerwall products**
15 **be excluded from rate base.**

16 A23. There are several significant concerns with this pilot program. The first is that the overall
17 size of the program is \$15 million. This is a significant portion of GMP's proposed 2019
18 capital budget. While there is no dollar limit on the size of pilot programs allowed under
19 GMP's current alternative regulation plan, a \$15 million investment in a project with
20 speculative and unknown benefits would appear excessive.

21

1 More importantly, the documentation that GMP provided in support of the Powerwall
2 project raises concerns as to whether the project will actually yield ratepayer benefit.
3 Christopher Dawson of GDS Associates reviewed the avoided cost models used by GMP
4 to justify both the Tesla Powerwall program and the Storage/Solar JV projects and has
5 concluded that: the resulting energy prices are optimistic beyond five years; the capacity
6 prices increases included in the model lack adequate foundation; REC price assumptions
7 are unproven and unrealistic on a long-term basis; and the assumed Transmission price
8 increases appear to be unsustainable. Mr. Dawson also concluded that GMP did not
9 perform any sensitivity analysis around the market price projections. His conclusions
10 raise concerns about the underlying analysis conducted by GMP to show that the program
11 will provide economic benefits. Furthermore, GMP did not adequately explore
12 alternatives to storage, such as demand response. Finally, GMP did not provide any
13 support indicating that it explored alternative vendors and did not solicit RFPs for this
14 program.

15
16 The significant cost of the Powerwall project coupled with the uncertainties of its
17 potential ratepayer benefits warrant removing this project from rate base in this case. The
18 Powerwall project should not be permanently disallowed; rather it would be appropriate
19 to allow for GMP to continue the project as a pilot and include its costs in rate base only
20 if GMP can demonstrate that the project actually achieves its intended benefits and is
21 ultimately approved by the Commission as a tariffed service. Mr. McNamara also
22 discusses the Powerwall pilot program in his testimony, and provides additional support

1 for the Department's position that the Powerwall pilot program should be removed from
2 rate base in this case.

3
4 **Power Supply**

5 **Q24. Please summarize the Department's testimony regarding GMP's Power Supply**
6 **expenses.**

7 A24. Mr. McNamara and Mr. Christopher Dawson of GDS Associates addresses power supply
8 costs on behalf of the Department in their respective testimonies. Mr. McNamara
9 recommends that the Commission reduce GMP's power supply costs by \$397,682 to
10 account for a recalculation of GMP's Regional Network Service ("RNS") rate and GMP's
11 rate base by \$4.08 million to remove a portion of GMP's RECs from rate base.

12
13 Christopher C. Dawson of GDS Associates Inc. conducted a review GMP's power supply
14 costs and the markets forecasts used in the economic analysis of the Storage/Solar JV
15 projects and Tesla Power program. He concluded: GMP's hedging program is
16 insufficiently documented and structured; the market price analysis used in Storage/Solar
17 JV projects and Tesla Powerwall may not justify their investments; and that GMP has not
18 sufficiently evaluated Demand Response as a resource.

19
20 **Capital Structure and Cost of Capital**

21 **Q25. Please summarize the Company's requested cost of capital and capital structure.**

1 A.25 GMP requests an authorized return on equity of 9.3 percent and a capital structure
2 consisting of 49.85 percent equity and 50.15 percent debt. The weighted average cost of
3 capital ("WACC") was estimated at 5.28 percent when factored for the nine month rate
4 period. The Department's retained cost of capital witness, Rick Baudino of J. Kennedy
5 Associates, found that GMP's proposed ROE of 9.3% falls within his range of reasonable
6 returns. Accordingly, the Department does not recommended an adjustment to GMP's
7 proposed ROE. However, Mr. Baudino does recommend a slight reduction of GMP's cost
8 of debt from 5.07 to 5.03 percent.

9
10 **The Department's Revised Cost-of-Service**

11 **Q26. Please summarize the Testimony of Jacob Thomas.**

12 A26. Mr. Jacob Thomas of GDS Associates has prepared a COS model to summarize the final
13 rate impact of the Department's recommendations. Mr. Thomas's COS model
14 incorporates adjustments to cost of capital, capital spending and power supply based on
15 information included in GMP's filing materials and discovery responses. Mr. Thomas's
16 model was also based off of GMP's own COS modeling, but the Department recognizes
17 that there may be minor inconsistencies in data from flow-through adjustments based on
18 the Department's recommendations. If necessary, the Department will updated and
19 resubmit its COS model if any additional flow through adjustments need to be revised.

20
21 **Return of Accumulated Deferred Income Taxes Through a Bill Credit**

22 **Q27. What does this issue pertain to?**

1 A27. The Tax reform that went into effect on January 1, 2018 lowered the corporate federal
2 income tax rate from 35% to 21%. This has resulted in two major impacts to GMP's
3 cost-of-service. The first is, on a going forward basis, GMP will need to collect less
4 Federal Income Tax from ratepayers. The second relates Accumulated Deferred Income
5 Taxes (ADIT) that were collected from rate-payers based on the old tax rate. The amount
6 of ADIT in excess of the new rate will be returned to ratepayers in two ways. Some
7 portion will be returned over multiples years based on the remaining life of certain assets.
8 GMP is also proposing that other portion, \$27.4 million, be returned to rate payers as a
9 bill credit to be paid over the rate year.

10
11 **Q28. Does the Department Support GMP's proposed treatment of the excess**
12 **Accumulated Deferred Income Taxes?**

13 A28. Yes. Terry Myers of GDS Associates, Inc. performed and extensive review of the
14 analysis GMP performed in this area and found no issues. In fact, he indicated that the
15 GMP analysis was one the most well prepared that he had seen. The Department
16 supports the proposal and appreciates GMP's proactive efforts to return the excess
17 accumulated deferred income taxes to ratepayers in a timely manner through one-time
18 bill credits in the current and proposed rate periods.

19
20 **Storage/Solar JV Projects**

21 **Q29. Does the Department have concern about the process GMP used to evaluate the**
22 **need for the Storage/Solar projects?**

1 A29. Yes. GMP has not demonstrated that there is a physical system need (safety, reliability,
2 replace aging or damaged equipment, etc.) for this type of equipment. Although
3 originally proposed as microgrids, GMP did not propose installing the equipment needed
4 to isolate the circuits. In response to a discovery request in the Milton Microgrid
5 proceeding, Case No. 17-5003-PET, the company stated that:

6 GMP does intend to implement islanding capabilities with the Project,
7 recognizing that the costs and benefits of those activities are separate from
8 the base use cases (primarily peak load reductions and Frequency
9 Regulation) presented in the CPG application. *GMP wishes to emphasize*
10 *that the business case for the Project is based on the positive economics*
11 *described by the cost benefits analysis.* At the time that the scope of
12 providing islanding services have been fully analyzed, the costs and
13 benefits of providing those services to customers will be separately
14 identified and evaluated before proceeding. (Emphasis added)

15 Furthermore, GMP did not provide any support indicating that other alternatives to
16 battery storage were adequately considered and GMP did not solicit RFPs from
17 competing suppliers. Therefore, from the documentation provided in support of the
18 projects, it appears least-cost alternatives were not adequately explored, and the location
19 of these projects is not relevant in terms of engineering necessity or benefit.
20

21 **Q30. Does the Department believe that these projects will provide the projected economic**
22 **benefit to ratepayers?**

23 A30. The primary justification offered by GMP for these projects is the economic benefit to
24 rate payers; however that benefit is subject to execution and market price risk. As
25 indicated earlier in my testimony, Mr. Dawson of GDS Associates has raised concerns
26 about the analysis showing that the project will provide economic benefits since the

1 market price forecasts were generally optimistic. The value of the projects is highly
2 dependent on factors such as market price, the success in timing of peaks and other
3 assumptions. The net present value ("NPV") is also impacted by the proposed non-
4 traditional ratemaking treatment of the developer fee and hypothetical book value at
5 liquidation ("HLBV"). In short, there is a significant risk that ratepayers will not receive
6 the projected economic benefits.

7
8 **Q31. Does the Department have reservations about the way GMP is accounting for the**
9 **year-one HLBV and developer fee?**

10 A31. Yes. Terry Myers of GDS Associates, Inc. raises a concern regarding how GMP is
11 treating the HLBV and the up-front developer fee when its Storage/Solar Joint-Venture
12 ("JV") projects are put in service. GMP currently uses this fee to reduce amortization,
13 which benefits ratepayers in the first year but results in higher costs in subsequent years,
14 resulting in an intergenerational inequity. The traditional ratemaking approach these
15 benefits would be to amortize them over the life the projects. Mr. Myers also indicates
16 that the IRS may determine that this upfront treatment violates its normalization rules. If
17 that is the case, GMP could lose its ability to use accelerated depreciation. The
18 Department's position is that this departure from the normal treatment requires specific
19 approval from the Commission. However, as discussed by Mr. McNamara in his
20 testimony, there are policy considerations that justify GMP's non-traditional accounting
21 approach for these projects in this case.

1 **Q32. What risks do the tax equity investors face?**

2 A32. Very little. The tax equity partner contributes cash to the Project upfront and in return,
3 receives most of the tax depreciation, ITC benefits, and rights to a small amount of the
4 cash flow from the Project for the first five years.
5

6 **Q33. Do GMP investors face any risk that they will not earn their authorized return?**

7 A33. Once the project is added to rate base, GMP will earn its authorized rate of return over
8 the life of the project. Except for variations due to changes in GMP's authorized return
9 on equity, or other highly unlikely exogenous events, there is almost no risk associated
10 with those earnings. However, ratepayers bear a risk associated with the NPV due to the
11 length of the payback time and the volatility associated with the market price risk.
12

13 **Q34. Does the Department recommend that the JV projects be included in rate base, and**
14 **if so, is that recommendation subject to any conditions?**

15 A34. Yes, the Department supports inclusion of the JV projects in rate base, but that support is
16 contingent on the Commission ensuring an appropriate balance of equities between GMP
17 and its ratepayers. As Mr. McNamara discusses in his testimony, policy considerations
18 justify a departure from traditional ratemaking and accounting principles for these
19 projects. Developing these projects will provide GMP with valuable experience with
20 designing and implementing modern renewable energy and storage projects. Allowing
21 these projects will also provide regulators with meaningful data on the actual benefits of
22 the new technologies that GMP is implementing with these projects. Accordingly, the

1 Department recommends that the JV microgrid projects be included in rate base.
2 However, the primary benefit for ratepayers being supported by GMP is economic. GMP
3 and the project investors will earn substantial returns with minimal risk. These returns are
4 backstopped by rate payer money and the rate payers are being asked to bear a
5 disproportionate amount of risk as compared to GMP and project investors. Again, this is
6 not like investing in a substation, transformers or poles, where ratepayers will clearly
7 receive operational benefits from the assets. This is a speculative investment where the
8 benefits are risky and purely economic. Therefore, consistent with its recommendations
9 from Case 17-5003-PET (the Milton microgrid § 248 case), the Department recommends
10 that the PUC require GMP to provide ratepayers financial assurance for the asserted
11 economic benefit to ratepayers of these projects. GMP should also be required to
12 indemnify ratepayers from any financial consequences that could result from adverse IRS
13 rulings relating to GMP's approach to the HLBV and developer fees.
14

15 Forecasted Sales and Customer Growth Costs

16 **Q35. Does the Department have an issue with GMP using forecasted sales for the 2019**
17 **rate period?**

18 A35. Not in this case, especially if the Commission approves a multi-year rate plan for GMP.

19 Although Commission precedent is clear for traditional ratemaking, the regulatory
20 mechanics of operating under a multiyear rate plan make that precedent impractical for
21 several reasons. First, depending on the design of the multi-year plan, there will be a
22 need to create an annual sales forecast to flow through rate adjustments related to

1 purchased power estimates. To avoid unnecessary volatility, prior period actual sales will
2 need to be adjusted for known and measurable changes, such as significant known
3 changes in loads, and will need to be weather normalized. Secondly, Mr. McNamara has
4 done an extensive review of the forecasting methodology employed by GMP and has
5 determined that it is an acceptable approach in this circumstance in light of current
6 market conditions and GMP's sales trends.

7
8 **Q36. Does the Department support the inclusion of costs related to customer growth for**
9 **the 2019 rate period?**

10 A36. In this circumstance yes. Again, if a multi-year rate plan is approved, it would be
11 impractical to apply the traditional rate making approach of excluding customer growth
12 related costs. It would require that GMP to incur multiple years of regulatory lag related
13 to the recovery of the growth related costs; or require an annual adjustment mechanism to
14 true-up to the actual growth related costs incurred.

15
16 **Q37. Please describe the appropriate ratemaking treatment for growth-related plant in**
17 **Vermont.**

18 A37. My understanding of the appropriate ratemaking treatment for growth-related plant
19 comes from *Tariff filing of Green Mountain Power Corporation*, Docket No. 5428, Order
20 of 1/4/91. In that case, GMP sought to include a number of capital additions in its rate
21 base that the Department argued were being put into service to serve new customers,
22 either in whole or in part. The Board set forth its rule of decision as follows:

1 The Board has previously held that since revenues from new customers
2 are not included in rate year income, expenses associated with serving
3 those customers should also be excluded. We apply that principle in this
4 case, but we do not extend it to exclude investments that are made to
5 maintain adequate and efficient service for test year customers and are
6 only incidentally available to serve new customers as well. We have
7 allowed inclusion of certain improvements which will be able to
8 accommodate some growth-related sales, where the record demonstrates
9 that the improvements were not undertaken in order to accommodate
10 growth, but were or are needed to maintain adequate and efficient service
11 for test year customers, absent any load growth.
12

13 *Id.* at 21.
14

15 **Q38. Is there any other circumstance where it is appropriate to consider growth-related**
16 **plant in establishing utility rates?**

17 A38. Yes. The rule is based on the need to match revenues and costs when setting rates, so that
18 the numerator (costs) is spread fairly across the appropriate denominator (sales). In the
19 case cited above, the Board achieved this by using test year sales and excluding growth-
20 related plant. Theoretically, you can achieve a similar matching using rate year
21 (projected) sales and including growth-related plant. This too, should achieve a matching
22 between revenues and sales. Because using projected figures has, in the past, been
23 considered less reliable than using known test-year figures, it makes sense as a general
24 matter to use the known test-year figures and exclude growth-related plant. In this case
25 the Department is satisfied that the method for forecasting sales is acceptable.
26

27 **Customer Service**

1 **Q39. Please summarize the Department's testimony regarding GMP's Customer Service?**

2 A39. Ms. Flint, the Department's CAPI Director, presents an overview of GMP's recent
3 customer service history including service reliability as well as an opinion of the
4 Company's provision of certain un-tariffed products and services. Ms. Flint does not
5 recommend any adjustments to GMP's cost-of-service.

6

7 **Q40. Does this conclude your testimony?**

8 A40. Yes.